

63I-1-103. Guidelines for conduct of review.

(1) (a) Any statute or agency scheduled for termination may be reviewed by an interim committee at the direction of:

- (i) Legislative Management Committee;
- (ii) the chairs of an interim committee; or
- (iii) an interim committee as approved by motion and majority vote of its membership.

(b) The review shall begin not later than one year before scheduled termination and end before January 1 of the year in which termination is scheduled.

(2) In determining whether to reauthorize the statute or agency, the agency overseeing the statute or agency scheduled for termination shall clearly identify for the interim committee the public purpose and interest for which each statute or agency was originally created and clearly identify whether that public purpose and interest is still relevant.

(3) The interim committee shall then consider:

(a) the extent to which the statute or agency has operated in the public interest and any areas in which the statute or agency needs to improve its ability to operate in the public interest;

(b) the extent to which existing statutes interfere with or assist the legitimate functions of the statute or agency, and any other circumstances including budgetary, resource, and personnel matters that have a bearing on the capacity of the statute or agency to serve the public interest;

(c) the extent to which the public has been encouraged to participate in the adoption of the rules established in connection with the statute or agency;

(d) the extent to which the statute's provisions or agency's programs and services are duplicative of those offered by other statutes or state agencies;

(e) the extent to which the objectives of the statute or agency have been accomplished and their public benefit;

(f) the adverse effect on the public of termination of the statute or agency; and

(g) any other matter relevant to the review.

(4) It is the responsibility of any agency scheduled for termination or any agency which has oversight responsibilities for a statute scheduled for termination to seek its reauthorization with the Legislature.

Renumbered and Amended by Chapter 382, 2008 General Session